



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

MAY 26 2011

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7006-2760-0000-8645-4997

Mr. Jeff Vassar
Waste Management
Dickinson Landfill, Inc.
2575 190th Street
Spirit Lake, Iowa 51360

Re: CERCLA Off-Site Rule: Affirmative Determination of Acceptability for Dickinson Landfill, Inc.,
2575 190th Street, Spirit Lake, Iowa 51360

Dear Mr. Vassar:

This letter serves to inform you that the U.S. Environmental Protection Agency (EPA) has made an affirmative determination of acceptability for the receipt of off-site waste at the Waste Management - Dickinson Landfill, Inc. (Dickinson Landfill) in Spirit Lake, Iowa. Pursuant to Title 40 Code of Federal Regulations (40 CFR) Section 300.440(a)(4), EPA has completed an initial assessment of Dickinson Landfill, and finds Dickinson Landfill acceptable for the receipt of off-site waste. Such off-site wastes are defined as wastes generated as a result of activities authorized or funded by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

On September 22, 1993, EPA amended the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 CFR Part 300, by adding Section 300.440, now known as the Off-Site Rule. The rule implements and codifies the requirements contained in CERCLA Section 121(d)(3), and incorporates many provisions of the November 13, 1987, OSWER Directive (No. 9834.11), known as the Off-Site Policy. The Off-Site Rule establishes the criteria and procedures for determining if facilities are acceptable for the off-site receipt of CERCLA waste, and outlines the actions affected by the standard. The Off-Site Rule requires that prior to a facility's initial receipt of CERCLA waste, EPA shall determine if there are relevant releases or relevant violations at the facility.

EPA corresponded with the Iowa Department of Natural Resources (IDNR) to determine Dickinson Landfill's compliance with applicable environmental standards. The results of the correspondence indicate that Dickinson Landfill is currently in compliance with applicable environmental standards. Therefore, effective upon receipt of this letter, Dickinson Landfill is acceptable to receive CERCLA off-site waste at the facility described above. Should any new information affecting this determination develop, EPA reserves the right to revisit this decision.



By issuing this notice, EPA is in no way authorizing Dickinson Landfill to undertake any waste management practice at this facility for which Dickinson Landfill has not been previously authorized by EPA or IDNR.

If you have any questions concerning this matter, please contact Deborah Bredehoft, Regional Off-Site Contact, Region 7, at (913) 551-7164.

Sincerely,

A handwritten signature in cursive script, appearing to read "E. Toensing", with the word "for" written below it.

Donald Toensing, Branch Chief
Waste Enforcement and Material Management Branch
Air and Waste Management Division

cc: Mr. Cal Lundberg, Chief, Contaminated Sites Section
Iowa Department of Natural Resources

Ms. Debra A. McDonald, P.E.
Waste Management
2575 190th Street
Spirit Lake, Iowa 51360